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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 131028907-4042-02]

RIN 0648-XC954

Pacific Island Fisheries; 2014 Annual Catch Limits and Accountability Measures

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final specifications.

SUMMARY: In this rule, NMFS specifies the 2014 annual catch limits for Pacific Island bottomfish, crustacean, precious coral, and coral reef ecosystem fisheries, and accountability measures to correct or mitigate any overages of catch limits. The catch limits and accountability measures support the long-term sustainability of fishery resources of the U.S. Pacific Islands.

DATES: The final specifications are effective [insert date 30 days after date of publication in the FEDERAL REGISTER], through December 31, 2014.

ADDRESSES: Copies of the fishery ecosystem plans are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-

8220, fax 808-522-8226, or www.wpcouncil.org. Copies of the environmental assessments and findings of no significant impact for this action, identified by NOAA-NMFS-2013-0156, are available from www.regulations.gov, or from Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1601 Kapiolani Blvd. 1110, Honolulu, HI 96814.

FOR FURTHER INFORMATION CONTACT: Jarad Makaiau, NMFS PIR Sustainable Fisheries, 808-944-2108.

SUPPLEMENTARY INFORMATION: NMFS is specifying the 2014 annual catch limits (ACLs) and accountability measures (AMs) for bottomfish, crustacean, precious coral, and coral reef ecosystem fishery management unit species (MUS) in the U.S. Exclusive Economic Zone (EEZ, generally 3-200 nm from shore) around American Samoa, Guam, the Commonwealth of the Northern Mariana Islands (CNMI), and Hawaii. NMFS proposed these specifications on December 20, 2013 (78 FR 77089), and the final specifications do not differ from that proposal. The 2014 fishing year begins on January 1, and ends on December 31, except for precious coral fisheries, for which the fishing year began on July 1, 2013, and ends on June 30, 2014. The ACLs and AMs are identical to those that NMFS specified for these fisheries in 2013.

NMFS is not specifying ACLs for MUS that are currently subject to Federal fishing moratoria or prohibitions. These MUS include all species of gold coral (78 FR 32181, May 29, 2013),

the three Hawaii seamount groundfish, that is, pelagic armorhead, alfonsin, and raftfish (75 FR 69015, November 10, 2010), and deepwater precious corals at the Westpac Bed Refugia (75 FR 2198, January 14, 2010). The current prohibitions on fishing for these MUS serve as the functional equivalent of an ACL of zero.

Additionally, NMFS is not specifying ACLs for bottomfish, crustacean, precious coral, or coral reef ecosystem MUS identified in the Pacific Remote Islands Area (PRIA) FEP. On June 3, 2013, NMFS published a final rule (78 FR 32996), implementing fishing requirements for the Pacific Remote Islands Marine National Monument (Monument), which include a prohibition on all fishing in the EEZ within 12 nm of emergent land, unless authorized by the U.S Fish and Wildlife Service. NMFS is not proposing ACLs for PRIA FEP bottomfish, crustacean, precious coral, or coral reef ecosystem fisheries because there is no suitable habitat for these fisheries beyond the 12-nm no-fishing zone, except at Kingman Reef, where fishing for these resources does not occur. Therefore, the current prohibitions on fishing serve as the functional equivalent of an ACL of zero. However, NMFS will continue to monitor authorized fishing within the Monument in consultation with the U.S. Fish and Wildlife Service, and may develop additional fishing requirements,

including Monument-specific catch limits for species that may require them.

NMFS is also not proposing ACLs for pelagic MUS at this time, because NMFS previously determined that pelagic species are subject to international fishery agreements or have a life cycle of approximately one year and, therefore, are statutorily excepted from the ACL requirements.

2014 Annual Catch Limit Specifications

The ACL specifications for Pacific Island fisheries are listed in Tables 1-4.

Table 1. American Samoa

Fishery	Management Unit Species	Final ACL Specification (lb)
Bottomfish	Bottomfish multi-species stock complex	101,000
Crustacean	Deepwater Shrimp	80,000
	Spiny Lobster	2,300
	Slipper Lobster	30
	Kona Crab	3,200
Precious Coral	Black Coral	790
	Precious Corals in the American Samoa Exploratory Area	2,205
Coral Reef Ecosystem	Acanthuridae - surgeonfish	19,516
	Lutjanidae - snappers	18,839
	<u>Selar crumenophthalmus</u> - atule or bigeye scad	8,396
	Mollusks - turbo snail; octopus; giant clams	16,694
	Carangidae - jacks	9,490
	Lethrinidae - emperors	7,350
	Scaridae - parrotfish	8,145
	Serranidae - groupers	5,600
	Holocentridae - squirrelfish	2,585
	Mugilidae - mullets	2,857

	Crustaceans - crabs	2,248
	<u>Bolbometopon muricatum</u> - bumphead parrotfish	235
	<u>Cheilinus undulatus</u> - Humphead (Napoleon) wrasse	1,743
	Carcharhinidae - Reef Sharks	1,309
	All Other CREMUS combined	18,910

Table 2. Mariana Archipelago - Guam

Fishery	Management Unit Species	Final ACL Specification (lb)
Bottomfish	Bottomfish multi-species stock complex	66,800
Crustaceans	Deepwater Shrimp	48,488
	Spiny Lobster	2,700
	Slipper Lobster	20
	Kona Crab	1,900
Precious Coral	Black Coral	700
	Precious Corals in the Guam Exploratory Area	2,205
Cora Reef Ecosystem	Acanthuridae - surgeonfish	70,702
	Carangidae - jacks	45,377
	<u>Selar crumenophthalmus</u> - atulai or bigeye scad	56,514
	Lethrinidae - emperors	38,720
	Scaridae - parrotfish	28,649
	Mullidae - goatfish	25,367
	Mollusks - turbo snail; octopus; giant clams	21,941
	Siganidae - rabbitfish	26,120
	Lutjanidae - snappers	17,726
	Serranidae - groupers	17,958
	Mugilidae - mullets	15,032
	Kyphosidae - chubs/rudderfish	13,247
	Crustaceans - crabs	5,523
	Holocentridae - squirrelfish	8,300
	Algae	5,329
	Labridae - wrasses	5,195
	<u>Bolbometopon muricatum</u> - bumphead parrotfish	797 (CNMI and Guam combined)
	<u>Cheilinus undulatus</u> - Humphead (Napoleon) wrasse	1,960

	Carcharhinidae - Reef Sharks	6,942
	All Other CREMUS combined	83,214

Table 3. Mariana Archipelago - CNMI

Fishery	Management Unit Species	Final ACL Specification (lb)
Bottomfish	Bottomfish multi-species stock complex	228,000
Crustacean	Deepwater Shrimp	275,570
	Spiny Lobster	5,500
	Slipper Lobster	60
	Kona Crab	6,300
Precious Coral	Black Coral	2,100
	Precious Corals in the CNMI Exploratory Area	2,205
Coral Reef Ecosystem	Lethrinidae - emperors	27,466
	Carangidae - jacks	21,512
	Acanthuridae - surgeonfish	6,884
	<u>Selar crumenophthalmus</u> - atulai or bigeye scad	7,459
	Serranidae - groupers	5,519
	Lutjanidae - snappers	3,905
	Mullidae - goatfish	3,670
	Scaridae - parrotfish	3,784
	Mollusks - turbo snail; octopus; giant clams	4,446
	Mugilidae - mullets	3,308
	Siganidae - rabbitfish	2,537
	<u>Bolbometopon muricatum</u> - bumphead parrotfish	797 (CNMI and Guam combined)
	<u>Cheilinus undulatus</u> - Humphead (Napoleon) wrasse	2,009
	Carcharhinidae - Reef Sharks	5,600
	All Other CREMUS combined	9,820

Table 4. Hawaii

Fishery	Management Unit Species	Final ACL Specification (lb)
Bottomfish	Non-Deep 7 Bottomfish	140,000

Crustacean	Deepwater Shrimp	250,773
	Spiny Lobster	10,000
	Slipper Lobster	280
	Kona Crab	27,600
Precious Coral	Auau Channel Black Coral	5,512
	Makapuu Bed - Pink Coral	2,205
	Makapuu Bed - Bamboo Coral	551
	180 Fathom Bank - Pink Coral	489
	180 Fathom Bank - Bamboo Coral	123
	Brooks Bank - Pink Coral	979
	Brooks Bank - Bamboo Coral	245
	Kaena Point Bed - Pink Coral	148
	Kaena Point Bed - Bamboo Coral	37
	Keahole Bed - Pink Coral	148
	Keahole Bed - Bamboo Coral	37
	Precious Corals in the Hawaii Exploratory Area	2,205
Coral Reef Ecosystem	<i>Selar crumenophthalmus</i> - akule or bigeye scad	651,292
	<i>Decapterus macarellus</i> - opelu or mackerel scad	393,563
	Carangidae - jacks	193,423
	Mullidae - goatfish	125,813
	Acanthuridae - surgeonfish	80,545
	Lutjanidae - snappers	65,102
	Holocentridae - squirrelfish	44,122
	Mugilidae - mullets	41,112
	Mollusks - turbo snails; octopus	28,765
	Scaridae - parrotfish	33,326
	Crustaceans - crabs	20,686
	Carcharhinidae - Reef Sharks	111,566
	All Other CREMUS combined	142,282

Accountability Measures

NMFS and the Council, relying on information from local resource management agencies in American Samoa, Guam, the CNMI, and Hawaii, will conduct a post-season accounting of the annual catch for each stock and stock complex immediately after the end of the fishing year. If an ACL is exceeded, the Council will

take action in accordance with 50 CFR 600.310(g), which may include a recommendation that NMFS reduce the ACL for the subsequent fishing year by the amount of the overage, or other measure, as appropriate.

Additional background information on this action is found in the preamble to the proposed specifications, and is not repeated here.

Comments and Responses

On December 20, 2013, NMFS published a request for public comments (78 FR 77089) on proposed specifications that are finalized here. The public comment period ended on January 6, 2014. NMFS received no public comments.

Classification

The Regional Administrator, NMFS PIR, determined that this action is necessary for the conservation and management of Pacific Island fishery resources, and that it is consistent with the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed specification stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed

specifications and is not repeated here. NMFS received no comments regarding this certification; as a result, a regulatory flexibility analysis was not required, and none was prepared.

This action is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 et seq.

Dated: January 22, 2014.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries,

performing the functions and duties of the Deputy Assistant Administrator

for Regulatory Programs, National Marine Fisheries Service.

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